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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/201,644	11/30/1998	KULDIPSINGH PABLA	83000.1076/P	1829

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MARTINE & PENILLA, LLP
710 LAKEWAY DRIVE
SUITE 170
SUNNYVALE, CA 94085

EXAMINER

SAX, STEVEN PAUL

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/201,644

Applicant(s)
Pabla

Examiner
Steve Sax

Art Unit
2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Nov 5, 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

Art Unit: 2174

DETAILED ACTION

1. This application has been examined. The amendment filed 11/5/02 has been entered.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 10, 12-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch et al (5805796) and Ashe et al (6307574).

4. Regarding claim 10, Ashe et al show examining the class definition of a screen element of a gui (column 3 lines 10-20, column 6 lines 10-25) wherein examining is performed without execution of the class definition (column 5 lines 5-14), and identifying an element if the class definition includes a method supporting the element (column 6 lines 5-10 and 34-55). Ashe et al do not specifically state the element is supporting an input device, but does use class definitions to determine support for an element, for analysis and control of the gui system. Furthermore, Finch et al do determine the element is supporting an input device (column 5 lines 60-68 and column 6 lines 1-20), in a system using class definitions for analysis and control of a gui system

Art Unit: 2174

(column 8 lines 29-45). It would have been obvious to a person with ordinary skill in the art to have Ashe et al determine an element supporting an input device, because it would provide convenient analysis and control of a gui in a system that uses class definitions for analysis and control of a gui.

5. Regarding claim 12, the examining in Ashe et al is performed at runtime (column 5 lines 7-14).

6. Regarding claim 13, the element is marked if the class definition includes support for the input device (Ashe et al column 5 lines 1-13)

7. Regarding claim 14, Ashe et al show if the process was delegated to other code (column 4 lines 55-68).

8. Claims 15-21 show the same features as above and are rejected for the same reasons.

9. Claims 1-9, 11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Finch et al (5805796) and Ashe et al (6307574) and Guillen et al (5701485) .

Art Unit: 2174

10. Regarding claim 1, in addition to the aforementioned, Finch et al and Ashe et al do not go into the details of the superclass class definition being examined if the element is identified as not supporting (the input device), but Ashe et al do mention examining the class for functionality. Furthermore, Guillen et al show examining a superclass class definition if the element is not supporting a functionality (column 2 lines 18-24, 40-55; column 4 lines 38-55; column 5 lines 48-60; column 6 lines 9-19). This is done to efficiently examine a class for functionality. It would have been obvious to a person with ordinary skill in the art to have this in the system described by Ashe et al in view of Finch et al in paragraph 4 of this Office Action, because it would be an efficient way to examine a class for functionality. (Also note that Finch et al bring out examining if an element is supporting an input device and the obviousness to combine this with Ashe et al is brought out in paragraph 4 of this Office Action.)

11. Claims 2-~~9~~, 11, and 22 show the same features as above and are rejected for the same reasons.

12. Applicant's arguments filed have been fully considered but they are not persuasive. Applicant's interpretation of prior art is noted and it is pointed out that applicant mostly addresses the Ashe reference. Applicant focuses on the interpretation of 'examining a class definition.' Note that the class structure and differentiation of structure, functionality, and

Art Unit: 2174

appearance as described in Ashe is in fact examining, and furthermore that this is used to detect an ability to process an input device's events, even if this is not the focus of Ashe.

On the bottom of page 3 of applicant's response, applicant notes that Ashe mentions how 'functionality may also include a behavioral... in dependence on user actions.' First of all, this is just one of the capabilities of Ashe and not the sole mode of operation. Also, the class definition need not be executed to perform the examining.

Applicant mentions elements of the claims' but note that these may be broad and the interpretation is consistent with the way Ashe and Finch are applied. If applicant means more, then this must be explicitly recited in the claims.

13. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristin Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238

After Final Communication

Art Unit: 2174

(703) 746-7239

Official Communication

(703) 746-7420

For Status Inquiries, draft communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900. ``



STEVEN SAX
PRIMARY EXAMINER

STEVEN SAX
PRIMARY EXAMINER